

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

FILE

NOV 13 2003

OFFICE OF  
MANAGING DIRECTOR

Joseph M. Fry  
Vice President and Chief Financial Officer  
Petracom Media, LLC  
1527 N. Dale Mabry Highway  
Suite 105  
Lutz, FL 33548

Re: Request for Waiver of Fiscal Year 2003  
Regulatory Fees for Petracom Media, LLC  
Fee Control No. 00000RROG-03-111

Dear Mr. Fry:

This is in response to your request dated September 24, 2003 for waiver and deferral of fiscal year (FY) 2003 regulatory fees for Petracom Media, LLC's stations (Petracom). According to the attachment to your letter, the fees due total \$13,795.00. They include: \$6,265.00 for 11 stations owned by Petracom of Joplin, LLC; \$3,635.00, for 11 stations owned by Petracom of Texarcana, LLC; \$2,860.00 for 10 stations owned by Petracom of Show Low, LLC; and \$1,035.00 for 3 stations owned by Petracom of Holbrook, LLC.

You state in your request that Petracom is having serious financial difficulty and is unable to pay the regulatory fees associated with its stations at this time. You assert that to stay on the air and provide continuing services to your listeners, you have had to concentrate on meeting payroll, basic operating and essential expenses. You indicate you are prepared to address your financial difficulties and provide supporting information on a confidential basis.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

Joseph M. Fry

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[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

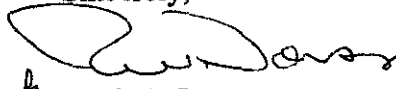
10 FCC Rcd at 12761-2762.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

In the absence of appropriate documentation, you have failed to establish a compelling case of financial hardship. Therefore, your request for waiver of Petracom's regulatory fees is dismissed. Payment of the FY 2003 regulatory fees in the amount of \$13,795.00 for its stations is now due. The \$13,795.00 should be filed together with a Form FCC 159 (copy enclosed) within 30 days from the date of this letter. However, in view of your allegations of financial hardship, in lieu of payment, you may refile Petracom's request together with appropriate supporting documentation and a request to further defer payment of the fee, within 30 days from the date of this letter.

If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

  
Mark A. Reger  
Chief Financial Officer

Enclosure

00000 R204-03-111

**PETRACOM OF JOPLIN, LLC**  
1527 N. DALE MABRY HIGHWAY, SUITE 105  
LUTZ, FL 33548  
TELEPHONE: (813) 948-2554  
FACSIMILE: (813) 948-2557

**ORIGINAL**

**RECEIVED**

September 24, 2003

SEP 25 2003

Federal Communications Commission  
Office of Secretary

**Via Hand Delivery**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Petracom Media, LLC**  
**FRN: 0004-9863-78**  
**2003 Radio Regulatory Fee**  
**Waiver and Deferral Request**

Dear Ms. Dortch:

Petracom Media, LLC is having serious financial difficulty in the current economy and is unable at the present time to pay the regulatory fees associated with its stations. Deep expense cuts at the stations and in corporate operations, have been made in an effort simply to be able to stay in business. To stay on the air and provide continuing service to our listeners, we have had to concentrate on meeting payroll, basic operating and essential expenses. Under these circumstances, we feel that the public interest will be served by the Waiver and Deferral of the regulatory fees. We are prepared to address our financial difficulties with you and provide supporting information separately on a confidential basis.

We therefore request a Waiver and Deferral of the \$13,795.00 in Regulatory Fees based upon extreme financial hardship and the resulting inability to pay the fees. A schedule of all stations and fees is attached.

Thank you for your considerations in this matter.

Sincerely,



Joseph M. Fry  
Vice President and Chief Financial Officer

cc:

Claudette E. Pride, Chief  
Revenue and Receivables Operations  
Office of Managing Director, FCC  
M. Scott Johnson, Esq.

**RECEIVED SEP 30 2003**

**PETRACOM MEDIA, LLC**  
**FRN 0004-9863-78**  
**FCC RADIO REGULATORY FEES 2003**

				Facility ID	Class	Population	Code	Fee
PETRACOM OF JOPLIN, LLC (FRN 0005-0098-40)								
KBTN	AM	NEOSHO	MO	33687	B	25,001-75,000	0324	900 00
KBTN-FM	FM	NEOSHO	MO	33688	A	75,000-150,000	0343	1,300 00
KJML	FM	COLUMBUS	KS	408	C3	25,001-75,000	0342	950 00
KMOQ	FM	BAXTER SPRINGS	KS	64435	A	25,001-75,000	0342	950 00
KQYX	AM	JOPLIN	MO	5268	C3	75,000-150,000	0331	650 00
WMBH	AM	JOPLIN	MO	72493	D	75,000-150,000	0337	1,000.00
KCAR-FM	FM	GALENA	KS	86554	A	up to 25,000	0341	475 00
KEH487							0369	10.00
KU4599							0369	10 00
KJ4787							0369	10 00
KFZ713							0369	10 00
								\$6,265 00

PETRACOM OF TEXARKANA, LLC (FRN 0005-0098-81)								
KCAR	AM	CLARKSVILLE	TX	4046	D	up to 25,000	0335	400 00
KKTK	AM	TEXARKANA	TX	4439	C	75,000-150,000	0331	650 00
KGAP	FM	CLARKSVILLE	TX	4045	C2	up to 25,000	0347	625 00
KPGG	FM	ASHDOWN	AR	4438	A	25,001-75,000	0342	950 00
KEWL	FM	NEW BOSTON	TX	38515	C3	25,001-75,000	0342	950 00
KC25298							0369	10 00
WPNM784							0369	10 00
WMU784							0369	10.00
KPM638							0369	10 00
WHY641							0369	10 00
WLD872							0369	10 00
								\$3,635 00

PETRACOM OF SHOW LOW, LLC (FRN 0005-0098-73)								
KRFM	FM	SHOW LOW	AZ	33692	C	25,001-75,000	0348	1,100 00
KSNX	FM	SHOW LOW	AZ	17337	C3	up to 25,000	0341	475 00
KVSL	AM	SHOW LOW	AZ	33693	C	up to 25,000	0329	325 00
KVWM	AM	SHOW LOW	AZ	17336	D	25,001-75,000	0324	900 00
WPMQ652							0369	10 00
KPE646							0369	10 00
WPOP969							0369	10 00
WHS289							0369	10.00
KTB665							0369	10.00
WPOP970							0369	10 00
								\$2,860.00

PETRACOM OF HOLBROOK, LLC (FRN 0007-1205-53)								
KDJI	AM	HOLBROOK	AZ	47887	D	up to 25,000	0335	400 00
KZUA	FM	HOLBROOK	AZ	47886	C1	up to 25,000	0347	625.00
WMU388							0369	10 00
								\$1,035 00

<b>Totals</b>								<b>\$13,795 00</b>
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